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1983

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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GOVERNMENT OF KERALA

Law (Legislation-A) Department

ERRATUM

No. 18191/Leg. (A) 1/83/Law. *Dated, Trivandrum,* 21*st November,* 1983.

In the Kerala Survey and Boundaries (Amendment) Ordinance, 1983, published in the Kerala Gazette Extraordinary No. 1393 dated the 19th November, 1983, *for* section 4, *read*—

"4. *Amendment of section* 9.—In section 9 of the principal Act, for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) Notice of every decision of the Survey Officer under sub section (1) shall be published—

(a) in the Gazette or in two daily newspapers which, in the opinion of the Survey Officer, have wide circulation in the locality in which the lands, the boundaries of which may be affected by the decision, are situated;

(b) in the offices of the village and the taluk in which such lands are situated; and

(c) in the office of the panchayat or the municipal council or municipal corporation, as the case may be, within whose jurisdiction such lands are situated". ".

By order of the Governor,

K. Viswanathan Nair,

Law Secretary.

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SECRETARIAT OF THE KERALA LEGISLATURE

NOTIFICATION

No. 11475/LA4/83. *Dated, Trivandrum, 21st November,* 1983.

The Kerala Fishermen Welfare Societies (Amendment) Bill, 1983 together with the Statement of Objects and Reasons and the Financial Memorandum is published, under Rule 69 of the Rules of Procedure and Conduct of Business in the Kerala Legislative Assembly.

DR. R. PRASANNAN,
Secretary,
Legislative Assembly.

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33/4931/MC

Seventh Kerala Legislative Assembly
Bill No. 74.

THE KERALA FISHERMEN WELFARE SOCIETIES (AMENDMENT) BILL, 1983

A

BILL

to amend the Kerala Fishermen Welfare Societies Act, 1980.

Preamble.—WHEREAS it is expedient to amend the Kerala Fishermen Welfare Societies Act, 1980 for the purposes hereinafter appearing;

BE it enacted in the Thirty-fourth Year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Fishermen Welfare Societies (Amendment) Act, 1983.

(2) It shall be deemed to have come into force on the 4th day of June, 1983.

2. *Amendment of section* 9.—In section 9 of the Kerala Fishermen Welfare Societies Act, 1980 (7 of 1981) (hereinafter referred to as the principal Act),—

(i) to sub-section (1), the following proviso shall be added, namely:—

"Provided that the first committee after the commencement of this Act, of every society shall consist of not less than six and not more than ten members nominated by the Government.";

(ii) to sub-section (4), the following proviso shall be added, namely:—

"Provided that a member of the first committee after the commencement of this Act shall hold office for a period of three years from the date of his nomination.".

3. *Amendment of section* 10.—In section 10 of the principal Act, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) the Government may remove from office any member of the first committee after the commencement of this Act, who—

(a) is or has become subject to any of the disqualifications mentioned in sub-section (1); or

(b) is absent without leave of the committee for more than three consecutive meetings of the committee:

Provided that no such member shall be removed on the ground mentioned in clause (a) without giving him an opportunity of being heard.".

4. *Repeal and saving.*—(1) The Kerala Fishermen Welfare Societies (Amendment) Ordinance, 1983 (23 of 1983), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

STATEMENT OF OBJECTS AND REASONS

Section 4 of the Kerala Fishermen Welfare Societies Act, 1980 (7 of 1981), provides for the constitution of a Fishermen's Welfare Society for each fisheries village. Section 9 of the Act provides that for every society there shall be a committee consisting of such number of members having not less than four and not more than eight as may be determined in such manner as may be prescribed, to be elected by the members of the Society in the prescribed manner from among themselves and not more than two members to be nominated by the Government.

2. Sub-section (2) of section 5 of the Act provides that the Fisheries Officers shall, subject to such rules as may be made in this behalf, prepare and publish in the prescribed manner a list of fishermen who are deemed to be members of the society as on the 1st day of September each year. Many complaints have been received by Government in regard to the list prepared by the Fisheries officers. There is no provision in the rules for an appeal against the list approved by the Fisheries officers. Government, after considering all aspects of the matter, decided to amend the rules providing for an appeal against the list prepared by the Fisheries officers and to finalise the lists only after hearing the appeals which may be preferred against those lists. The amendment for the purpose has been issued under notification No. G.O. (P) 44/83/TF& PD dated the 29th July, 1983 and published as S.R.O. No. 1063/83 in the Kerala Gazette No. 34 dated the 30th August, 1983.

3. It may take considerable time to hear the appeals and finalise the lists. Consequently, the election to the committees will be delayed. Government are desirous of constituting the committees immediately so that the functioning of the societies may not be delayed further. Therefore, it was decided to amend the Kerala Fishermen Welfare Societies Act to enable the Government to nominate all the members of the first committee of each society.

4. Since the amendment referred to above had to be given effect to immediately and since the Legislative Assembly was not in session, the Kerala Fishermen Welfare Societies (Amendment) Ordinance, 1983 (19 of 1983) was promulgated by the Governor on the 3rd day of June, 1983. A Bill to replace Ordinance 19 of 1983, though published in the Gazette could not be introduced in, and passed by, the Legislative Assembly during its session which commenced on the 20th day of June, 1983 and ended on the 4th day of August, 1983 and therefore the Ordinance ceased to operate on the 1st day of August, 1983. In order to keep alive the provisions of the said Ordinance the Kerala Fishermen Welfare Societies Amendment Ordinance, 1983 (23 of 1983) was promulgated by the Governor on the 20th day of August, 1983.

5. The Bill seeks to replace Ordinance 23 of 1983 by an Act of the State Legislature.

FINANCIAL MEMORANDUM

The Bill, if enacted and brought into operation would not involve any expenditure from the Consolidated Fund of the State.

K. KARUNAKARAN

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1983

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GOVERNMENT OF KERALA

Local Administration and Social Welfare (M) Department

NOTIFICATION

G.O. (Rt.) No. 4155/83/LA & SWD. *Dated, Trivandrum, 17th November,* 1983.

S. R. O. No. 1649/83.—In exercise of the powers conferred by sub section (3) of section 1 of the Travancore Prevention of Begging Act, 1120 (XIII of 1120) the Government of Kerala hereby direct that the provisions of the said Act, shall come into force in the local areas specified below with effect from 17-11-1983.

1. Vandiperiyar Panchayat area.
2. Erumely Panchayat area.
3. Vadasserikkara Panchayat area.
4. Karimala and Ranni Forest areas.
5. Sabarimala temple and Ranni Reserve Forests surrounding it to a distance of eight kilometres from the central point of Sabarimala temple.

This notification shall cease to have effect from 26-1-1984.

By order of the Governor,
M. S. K. Ramaswamy,
Commissioner and Secretary.

33/4937/MQ.

Explanatory Note

(This is not part of the notification but is intended to indicate its general purport.)

Government consider it necessary to prevent beggars and persons suffering from contagious diseases from going over to Sabarimala and nearbd halting places during Sabarimala Festival Season. This notification is intendey to achieve this object.

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GOVERNMENT OF KERALA

Home (C) Department

NOTIFICATION

G.O. RT. No. 3643/83/Home. *Dated, Trivandrum, 21st November,* 1983.

S. R. O. No. 1650/83.—In exercise of the powers conferred by sub-section (2) of section 5 of the Kerala Civil Courts Act, 1957 (I of 1957), the Government of Kerala in consultation with the High Court of Kerala hereby vary and fix with effect from the 21st November, 1983 till the 12th February, 1984 the number of Munsiffs to be appointed for the Munsiffs courts at the following stations as shown below:

Trivandrum	..	6
Quilon	..	4
Kottayam	..	4
Ernakulam	..	6
Trichur	..	4

By order of the Governor,

N. Kaleeswaran,
Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport.)

The training of the candidates appointed as Munsiffs as per G.O. (Ms) 124/83/Home dated 17-9-1983 is to start from 21-11-1983. The trainees cannot try cases unless Government vary and refix the number of Munsiffs in the stations where the persons are deputed for training. Hence this Notification.

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